

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	
NICKI M. TODARO,	:	Bankruptcy No. 19-23010-CMB
	:	
Debtor,	:	Chapter 13
	:	
	:	
NICKI M. TODARO,	:	Adversary No. 20-2035-CMB
	:	
Plaintiff,	:	Related to Doc. No. 11
v.	:	
	:	
WELLS FARGO BANK, N.A.,	:	
	:	
Defendant,	:	
<hr style="width: 40%; margin-left: 0;"/>		
WELLS FARGO BANK, N.A.,	:	
	:	
Third Party Plaintiff,	:	
	:	
v.	:	
	:	
PNC BANK, N.A.,	:	
	:	
Third-Party Defendant.	:	

**ORDER REGARDING ADVERSARY PROCEEDING & NOTICE TO  
COMPLY WITH EARLY CONFERENCE OF PARTIES PROCEDURE**

**AND NOW**, this 30th day of April, 2020, enclosed is the Summons(es) which shall be served by the Defendant(s)/Third-Party Plaintiff(s) ("Third-Party Plaintiff(s)"), on all parties to this proceeding, including each named Third-Party Defendant, Plaintiff, and non-moving Defendant.

Service of the Summons, together with a copy of your Third Party Complaint, this Order, and the Early Conference Certification and Stipulation (CMB Form AP-2), **shall be made within seven (7) days** from the date of issuance.

The person making service must execute the Certificate of Service attached hereto within ten (10) days from the date of this Order. Failure to file your Certificate of Service when due will result in the dismissal of the Third-Party Complaint.

Should this Adversary Proceeding involve a Federal Agency, the pleading must specifically identify the agency involved. Furthermore, if the United States of America or a Federal Agency or Officer is named as a party, service of the Third-Party Complaint, Summons, this Order, and CMB Form AP-2 must be made as directed by Fed.R.Bankr.P. 7004(b)(4),(5).

Further, both the Debtor(s) and Debtor(s)' Counsel and the Trustee, if any, shall be served when Debtor(s) is a plaintiff, non-moving defendant, or third-party defendant in the case.

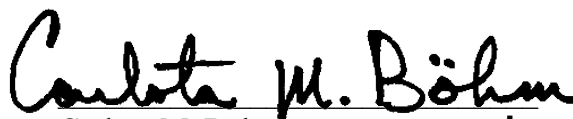
Answers shall be filed on or before **June 1, 2020.**

If service was properly made and the Third-Party Defendant(s) fail to timely file an Answer, the Court may determine after review of the Third-Party Complaint that no hearing is required and accordingly enter the Order by default. The Third-Party Plaintiff(s) **must** comply with Fed.R.Bankr.P. 7055 and Judge Bohm's Procedures if no Answer is filed.

**NOTICE IS HEREBY GIVEN** that on or before **July 1, 2020**, all parties to this proceeding shall hold an Early Conference of Parties ("Early Conference") in accordance with Judge Böhm's Procedures located on this Court's website (<http://www.pawb.uscourts.gov>). At the Early Conference, the parties shall confer on all matters identified in the Early Conference Certification and Stipulation. Counsel for parties must discuss settlement and mediation with their client(s) prior to attending the Early Conference. No later than seven (7) days from the date of the Early Conference, the **Third-Party Plaintiff(s)** shall file with the Court an Early Conference Certification and Stipulation completed in its entirety and signed by all counsel for parties or, if unrepresented, the parties. Once the Early Conference Certification and Stipulation is filed, the Court will assign a First Pre-Trial Status Conference date. Third-Party Plaintiff(s) shall serve notice of the date on all parties, the Trustee, and U.S. Trustee, and file with the Court a Certificate of Service stating that such service has been made. Please note that unless a Motion for Extension of Time has been properly filed or the Court has otherwise extended the deadline for compliance, failure to file the completed Early Conference Certification and Stipulation in accordance with this procedure within thirty-seven (37) days of the Answer deadline may result in the issuance of a Rule to Show Cause Why the Third-Party Complaint Should Not Be Dismissed. Pro Se Third-Party Plaintiffs may be excused from the above procedure upon the filing of an Application for Waiver of Early Conference of Parties Requirement (CMB Form AP-3). A copy of CMB Form AP-3 is available under Judge Bohm's Forms, accessible via the "Judge's Info" tab on the Court's website at <http://www.pawb.uscourts.gov/>.

Discovery shall commence as of the date of this Order.

At Pittsburgh, Pennsylvania.

  
Carlota M. Böhm **dmr**  
United States Bankruptcy Judge

cm: Bradley A. King, Esq.

FILED  
4/30/20 4:09 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

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	:	
Third Party Plaintiff,	:	
	:	
v.	:	
	:	
PNC BANK, N.A.,	:	
	:	
Third-Party Defendant.	:	

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, of \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CERTIFY:**

That I am, and at all time hereinafter mentioned, was more than 18 years of age:

That on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, I served a copy of this Order Regarding

Adversary Proceeding & Notice to Comply with Early Conference of Parties Procedure, **together with the Third-**

**Party Complaint, Summons, and Early Conference Certification and Stipulation** filed in this proceeding, on:

all non-moving parties in this proceeding, by (describe mode of service):

at the following address(es):

I certify under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_  
(Date) (Signature)